

VZCZCXRO8085

PP RUEHAG RUEHAST RUEHDA RUEHDBU RUEHDF RUEHFL RUEHIK RUEHKW RUEHLA
RUEHLN RUEHLZ RUEHNP RUEHPOD RUEHROV RUEHRSK RUEHSR RUEHVK RUEHYG
DE RUEHAK #0275/01 0511446
ZNR UUUUU ZZH
P 201446Z FEB 09
FM AMEMBASSY ANKARA
TO RUEHC/SECSTATE WASHDC PRIORITY 8849
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY
RUEATRS/TREASURY DEPT WASHDC PRIORITY
RUEAHLA/HOMELAND SECURITY CENTER WASHDC PRIORITY
RUEHC/DEPT OF LABOR WASHDC PRIORITY
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY

UNCLAS SECTION 01 OF 04 ANKARA 000275

SENSITIVE
SIPDIS

DEPT FOR: G/TIP, G, INL, DRL, PRM, EUR/SE, EUR/PGI; DEPT
FOR USAID

E.O. 12958: N/A

TAGS: [KTIP](#) [KCRM](#) [PHUM](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [PREF](#) [ELAB](#)

TU

SUBJECT: TURKEY: 9TH ANNUAL TIP REPORT: PROTECTION AND
ASSISTANCE TO VICTIMS, HEROES, BEST PRACTICES

REF: A. 08 SECSTATE 132759

[1](#)B. 08 ANKARA 2194

[1](#)1. (U) Sensitive but unclassified. Please protect
accordingly.

[1](#)2. (U) Post's responses are keyed to ref A questions. This
is part 3 of 3 (septels).

PROTECTION AND ASSISTANCE TO VICTIMS

[1](#)A. (SBU) The GOT provides witness protection in practice.
Foreign victims identified by Turkish authorities may apply
for humanitarian visas and remain in Turkey for up to six
months. The humanitarian visas carry a six-month residence
permit and the option to extend for an additional six months.
Most victims, however, choose to return to their country of
origin. Identified victims are not required to pay normal
departure fees or fines and the GOT does not take steps to
bar re-entry to Turkey. Identified victims are not deported
and are entitled to free legal, medical and psychological
services (see para B, below). IOM, in partnership with the
administrators of Turkey's two dedicated TIP shelters, Human
Resources Development Foundation (HRDF) and Foundation for
Women's Solidarity (FWS), assist victims returning to their
countries. Turkey adopted a new witness protection law
during the reporting period. While not a TIP-specific
measure, GOT officials believe it will encourage more victims
to testify against traffickers (ref B). ***The number of
humanitarian visas issued during the reporting period will be
reported in a supplemental cable, septel.***

[1](#)B. (SBU) Trafficking victims in Turkey are provided free
access to shelters and to legal, medical and psychological
services. Foreign victims have the same access to care as
domestic victims. The country has two shelters dedicated to
assisting trafficking victims. One shelter, operated by
HRDF, is located in Istanbul, and the other, operated by FWS,
is in Ankara. In 2008, the Istanbul shelter provided care to
57 victims; the Ankara shelter to 26 victims. The shelters
offer a full range of psychological, counseling, vocational
and legal services. The Ministry of Health provides free
medical services to victims. The two shelters are presently
funded by the European Commission (EC) through a two-year, 3
million Euro comprehensive anti-trafficking project. These
funds will expire in May for the Ankara shelter and September
for the Istanbul shelter. Under the new national action plan
currently awaiting the Interior Minister's signature and PM's
approval, the GOT will assume direct funding responsibility

for the shelters, but it is not clear this or other action will be taken to ensure long-term, guaranteed GOT support for the shelters before the EC funds expire. The Ankara municipality provides the shelter facility free of charge, along with cable, gas and electric. FWS contacts informed us, however, that the Ankara shelter, during the reporting period, had to begin paying water bills for the first time.

The Istanbul shelter had been receiving free rent from the Istanbul municipality under a protocol signed by the mayor and HRDF in 2004. However, that funding was suspended in June 2008 following a directive from the Governor that the city is not authorized to provide such services (see ref B). All people in need under Turkish law qualify for shelter protection, but the directive would require victims to appeal to the city individually, which is impractical. HRDF has been covering the approximately \$2,900 per month rental costs since June. To demonstrate that the GOT is committed to a solution, MFA has pledged \$20,000 per year to each shelter for three years, starting in 2009. This amount, however, is only a fraction of the overall operating expenses -- approximately \$180,000 per year. (The Ankara operating budget is reportedly a bit higher, though there are no rental or facility costs, apart from water. Budget details for each shelter are available upon request.)

1C. (SBU) Yes. All trafficking victims are entitled access to free legal services provided by the local bar association. Each shelter employs a psychologist and the Ministry of Health provides free medical care to trafficking victims. The government taskforce engages medical associations on a regular to ensure that awareness is maintained in the medical community that victims are entitled to free care. Apart from

ANKARA 00000275 002 OF 004

these in-kind contributions and the support provided by the Ankara municipality, the GOT did not provide direct financial support during the reporting period. As noted in para B, above, MFA pledged during the reporting period \$20,000 per year to each shelter for three years. Those funds will be dispersed starting in 2009.

1D. (U) See para A, above.

1E. (U) We are not aware of longer-term shelter or housing benefits to victims or other resources to aid the victims in rebuilding their lives. Recipients of humanitarian visas are entitled to work. Few victims choose to rebuild their lives in Turkey; the large majority opt to return home, many even before accepting IOM or shelter services.

1F. (SBU) The GOT has a referral process. The procedure is as follows:

- Potential victims and/or any foreign persons apprehended at a crime scene are referred to the TNP Foreigners Department by the first responders;
- A joint interview of a potential victim is conducted by the expert police liaisons to the Ankara and Istanbul shelters and experts from IOM and HRDF (if near Istanbul) or FWS (if closer to Ankara), including a translator and psychologist;
- After a determination is made that the individual is a trafficking victim, the victim is placed at a shelter.

The sole authority for trafficking victim identification lies with the TNP Foreigners Department, though it engages IOM and NGOs in the process. Any foreign person at a crime scene is automatically referred to the TNP Foreigners Department and is thus, in principle, screened by TNP experts. While TNP and NGOs and IOM work well together on many cases, our contacts believe that significant gaps remain in the process, i.e., some victims are not being identified as potential victims by TNP and do not see IOM or NGO screeners. These victims are more likely to be re-trafficked and even less likely to be identified if apprehended a second time (ref B).

¶G. (U) The GOT identified 118 victims in 2008. IOM assisted 78 of those victims in their return home, and assisted an additional victim through February 13, 2009. The balance of victims declined IOM assistance and returned directly to their home countries. The government facilitates the secure return of all victims, including those declining IOM assistance. As noted in para A, above, identified victims are not required to pay normal departure fees or fines and the GOT does not take steps to bar re-entry to Turkey. As noted in para B, above, the Istanbul shelter assisted 57 victims in 2008; the Ankara shelter assisted 26 victims.

¶H. (U) Yes, see para F, above. However, as noted in Part 1, Prevention, para B (septel), Turkey has a liberal visa regime and customs authorities and consular officers are not broadly empowered to turn away applicants at risk of being victimized seeking to enter Turkey, i.e., young single women from source countries.

It is illegal for foreign women to participate in the legal, regulated commercial sex trade. According to local experts and contacts, legal brothels do not contribute in any significant way to trafficking in Turkey (ref B and C).

¶I. (SBU) The rights of victims are respected. Identified trafficking victims -- even if they deny their victimization -- are not deported, jailed nor fined. Identified victims are not prosecuted for violations of other laws. However, as noted in para F, above, there appear to be gaps in the referral mechanism. As a result, some victims are likely not identified. Such "unidentified" victims could be deported after having been held in a detention facility; it is unlikely that Turkish authorities would seek to prosecute apprehended foreigners for what the authorities believe, rightly or wrongly, to be a migration, prostitution or labor violation. In addition, depending on the location of the crime scene, some potential victims wait for days or more in detention centers until they are interviewed. With Antalya having emerged as a trafficking hot-spot, the GOT, along with HRDF, has entered into discussions with the Antalya

ANKARA 00000275 003 OF 004

municipality to develop either a shelter or some other dedicated facility to hold potential victims while they await screening.

¶J. (SBU) MOJ, through local bar associations, provides free legal services to trafficking victims, including to foreign victims choosing to remain in the country and testify against traffickers. As reported in para A, above, Turkey adopted a new witness protection law during the reporting period. While not a TIP-specific measure, GOT officials believe it will encourage more victims to testify against traffickers (ref B). The Turkish Penal Code contains provisions permitting a trafficking victim to seek restitution in civil court; we are not aware of a victim having filed such a suit.

There is no impediment to a trafficking victim's access to legal redress. If a victim is issued a humanitarian visa, he/she is permitted to work. Given the duration of Turkish judicial proceedings, it is unlikely that a victim would remain in Turkey for the duration of a trial. Rather, law enforcement collects a statement from a victim which is admissible in court. A challenge for Turkey, as MOJ contacts have explained, is to have victims present to testify against traffickers. The victim may return to Turkey to testify, but it is our understanding that few do.

¶K. (U) As also reported in part 2, septel, the government, in partnership with IOM, provides ongoing and extensive specialized training for government officials to identify trafficking victims and in the provision of assistance to victims. Victims under the age of 18 are a small percentage of trafficked victims, and we are not aware of any specific training on the special needs of trafficked children.

However, the TNP provides training on child pornography. Turkish consular officers warn at-risk visa applicants of the risk of human trafficking through passport inserts advertising the 157 helpline in Russian, Romanian, Turkish and English. However, nationals from some source countries do not require visas to visit Turkey (see Part 1, Prevention, para E, septel). We have no evidence that Turkish nationals are trafficked abroad. Turkish diplomatic and consular representation is widespread throughout Europe, the Middle East and the United States; Turkish embassies and consulates would be prepared to offer all available services to any Turkish national abroad in distress.

1L. (U) See para K, above.

1M. (U) IOM -- of which Turkey is a member state contributing to the administrative budget -- is the principle IGO working with trafficking victims in Turkey. As noted above and elsewhere, septels, IGO and NGO cooperation with Turkish central authorities is excellent. IGO and NGO interaction with local authorities is done in coordination with national authorities in Ankara. Through partnership with IOM and the GOT, HRDF and FWS coordinate shelter, medical services, psychological and legal counseling, and assist in repatriation services for victims.

HEROES

13. (SBU) We are pleased to nominate Turgut Tokus as an anti-trafficking "Hero." Tokus is the Chairman of the Board of the Human Resources Development Foundation (HRDF), which operates Turkey's first shelter dedicated for trafficking victims, based in Istanbul. Tokus is a former senior officer in one of Turkey's largest and most prestigious companies. Recognizing that the unique needs of human trafficking victims in Turkey were going unmet, Tokus, through the NGO he chairs, stepped forward, ultimately securing the agreement of the Istanbul municipality to provide a facility in which trained HRDF staff could provide legal, psychological and other assistance to trafficking victims in a secure environment. The 2004 protocol signing ceremony was witnessed by then-Turkish FM (and now President) Gul and Secretary Powell. Since 2004, the shelter has assisted 390 victims and Tokus has remained a tireless advocate for the protection of trafficking victims in Turkey and a key partner in the GOT's efforts to strengthen the fight against TIP. This partnership has helped bolster substantially Turkey's capacity in the fight against trafficking -- another shelter subsequently opened in Ankara -- even as the effort to guarantee long-term, sustainable protection to victims has

ANKARA 00000275 004 OF 004

faced roadblocks, most recently in the municipality's suspension of the rental coverage it had been providing HRDF. Nevertheless, Tokus, bolstered by his partnership with other "heroes" in Turkey's fight against TIP, both inside and outside the government, presses on in this effort to ensure the Istanbul shelter's long-term survival and even to expand the number of facilities providing such care to trafficking victims in Turkey.

BEST PRACTICES

14. (U) The GOT Taskforce on TIP includes 44 agencies, municipalities, NGOs and IOM. It is a model, in Turkey, for strong, effective interagency cooperation; the Taskforce Chairman, Ambassador Kemal Gur, and the Ministry of Foreign Affairs which chairs it, has broadened the Taskforce to incorporate more representatives from outside of Ankara and agencies in addition to the key agencies (MFA, MOI and MOJ) involved in the fight against TIP. Gur directed that it meet more frequently: six times per year since 2008. The effect of this effort has been to raise TIP awareness substantially across national and local government and to empower a

formidable intergovernmental body to help raise awareness outside of it. For example, the Taskforce in 2008 partnered with the Turkish Medical Association to raise awareness in the medical community that victims of human trafficking are entitled to free medical services under the law. It could serve as a future platform on which to partner with chambers of commerce or other business associations to help raise awareness of TIP within the business community.

Visit Ankara's Classified Web Site at
<http://www.intelink.sgov.gov/wiki/Portal:Turkey>

Jeffrey